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January 7, 2025

Hon. J. Paul Oetken
United States District Judge
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *In re Application of Loudmila Bourlakova et. al.*, Case No. 1:24-mc-71 (JPO)

Dear Judge Oetken,

We represent Loudmila and Veronica Bourlakova (the “Petitioners”) in the above-captioned proceeding and write to request that the Court direct the Clerk of the Court to re-open this proceeding. On PACER, the docket indicates a “Date Terminated” of February 22, 2024, and that the proceeding has been “closed” since then.¹

However, as Your Honor is aware, there have been multiple filings and orders issued since February 22, 2024, and, now, appeals initiated by Intervenor Nikolai and Vera Kazakov (“Intervenors”) from certain of those orders. Most notably, on March 25, 2024, the Intervenor filed a Motion to Intervene, Vacate and Quash (ECF No. 8) (the “Vacate Motion”). More recently, the Intervenor filed a Letter Motion to Compel on December 17, 2024 (ECF No. 35). On December 20, 2024, the Court entered an order denying the Motion to Compel “*without prejudice* to any determination in the U.K. Proceeding that the Intervenor may be entitled to additional disclosure of the relevant discovery.” See ECF No. 37 (emphasis added). It is therefore possible there will be further applications in connection with the subpoena response at issue. Moreover, as noted, the Intervenor has filed Notices of Appeal (ECF Nos. 30 and 38, respectively) as to the Court’s November 20, 2024 Order granting in part, and denying in part, Intervenor’s Vacate Motion (ECF No. 29) and the December 20, 2024 Order denying without prejudice Intervenor’s Motion to Compel (EC No. 37). Depending on the outcome of these appeals, there may be further activity in this Court related to those applications.

¹ February 22, 2024 is the date on which the Court granted Petitioners’ Application and Petition for an Order to Take Discovery for Use in a Foreign Proceeding Pursuant to 28 U.S.C. § 1782 (ECF No. 7).

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Accordingly, both as a matter of housekeeping with respect to prior filings and to accurately reflect the current status of the proceeding, Petitioners respectfully request that the Court direct the Clerk to re-open the above-captioned action.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "ES. Schirick", with a stylized flourish at the end.

E. Scott Schirick

cc: Counsel of record via ECF